

EJL

Notice of Allowability

Application No.

10/672,326

Examiner

Tamiko D. Bellamy

Applicant(s)

SIMS, DEWEY MCKINLEY

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/12/05.
2. ☒ The allowed claim(s) is/are 39- 51, 53-55, 63-66, and 70.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
 Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION***Allowable Subject Matter***

1. Claims 39-50, 51, 53-55, 63-66, and 70 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Re claim 39, the independent claim includes " the button including a first end configured to lead the button when moving in a first direction, and a second end configured to lead the button when moving in a second direction, at least one of the first and second ends being generally wedge-shaped to facilitate moving debris out of the path of the button as the button moves along the resistor path " in combination with the remaining claim limitation is not taught and/or made obvious by the prior art. Walkowski et al. teaches a ground terminal (24) having slots which serve to clean wear debris from the from the wiper arms (80, 84) (Col. 10, lines 43-57). As depicted in figs. 1 and 2, the device of Walkowski et al. would remove wear debris from the inner wiper (84); however, **the debris along the path of the resistive path (e.g., arcuate resistor array 16) would not be removed by the button shaped contact (e.g., contact rivet 92).** As depicted in fig. 9, Sims Jr. et al., considered closest to related art, teaches a wiper (e.g., strip 50-2) of a potentiometer employing a contact (e.g., strip 50-2) having a oval-like transverse cross section. Sims Jr. et al., does not teach **the button including a first end configured to lead the button when moving in a first direction, and a second end configured to lead the button when moving in a second direction, at least one of the first and second ends being generally wedge-shaped to facilitate moving debris out of the path of the button as the button moves along the resistor path.**

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Re claim 51, the independent claim includes “wherein the button defines a longitudinal axis and is elongated in a direction substantially parallel to the longitudinal axis; and wherein the button includes a ratio of a radius of the arcuate surface in a longitudinal direction to a length dimension in the longitudinal direction of at least 2 to 1” in combination with the remaining claim limitation is not taught and/or made obvious by the prior art. Walkowski et al. teaches a ground terminal (24) having slots which serve to clean wear debris from the from the wiper arms (80, 84) (Col. 10, lines 43-57). As depicted in figs. 1 and 2, the device of Walkowski et al. would remove wear debris from the inner wiper (84); however, **the debris along the path of the resistive path (e.g., arcuate resistor array 16) would not be removed by the button shaped contact (e.g., contact rivet 92).** As depicted in fig. 9, Sims Jr. et al., considered closest to related art, teaches a wiper (e.g., strip 50-2) of a potentiometer employing a contact (e.g., strip 50-2) having a oval-like transverse cross section. Sims Jr. et al., does not teach **wherein the button defines a longitudinal axis and is elongated in a direction substantially parallel to the longitudinal axis; and wherein the button includes a ratio of a radius of the arcuate surface in a longitudinal direction to a length dimension in the longitudinal direction of at least 2 to 1.**

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamiko D. Bellamy whose telephone number is (571) 272-2190. The examiner can normally be reached on Monday - Friday 7:30 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tamiko Bellamy

T.B.
January 26, 2006

Hezron E. Williams
HEZRON WILLIAMS
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TECHNOLOGY CENTER 2800